

Docket No.: M4065.0787/P787
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Anders Andersson et al.

Allowed: October 6, 2004

Application No.: 09/550,816

Confirmation No.: 2139

Filed: April 18, 2000

Art Unit: 2612

For: ACTIVE PIXEL SENSOR WITH
REDUCED FIXED PATTERN NOISE

Examiner: K. L. Jerabek

**COMMENTS ON STATEMENT OF REASONS
FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants reviewed the Examiner's Statement of Reasons for Allowance with the October 6, 2004 Notices of Allowance and Allowability. The Statement should not be construed as any agreement with or acquiescence by Applicants in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination of elements it recites and not because of the presence or absence of any one particular element.

The Examiner's Statement was not prepared by Applicants and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any

interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to Applicants.

Dated: January 6, 2005

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Michael A. Weinstein

Registration No.: 53,754

DICKSTEIN SHAPIRO MORIN &

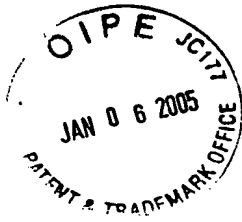
OSHINSKY LLP

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(202) 785-9700

Attorney for Applicant



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REQUEST FOR CORRECTION OF ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reviewing the above-identified application file upon allowance, the undersigned has noticed that the Entity Status was not amended as requested in the Request for Belated Correction of Small Entity Status filed on November 6, 2001 and as approved by the Patent Office on January 24, 2002. A copy of documents are attached. Applicants request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

In accordance with the change to large entity status, the large entity amount, \$1,400.00, for the issuance fee is submitted herewith along with the \$300.00 fee for early, voluntary, or normal publication and \$15.00 for printed copies of patent without color.

Dated: January 6, 2005

Respectfully submitted,

By 

Thomas J. D'Amico

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Registration No.: 53,754

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andersson et al. Art Unit: 2721
Serial No.: 09/550,816 Examiner: Unknown
Filed : April 18, 2000
Title : ACTIVE PIXEL SENSOR WITH REDUCED FIXED PATTERN NOISE

Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR BELATED CORRECTION OF SMALL ENTITY STATUS

Sir:

The undersigned has now discovered that the small entity status may have been erroneously established in the above referenced case. To the best knowledge of the undersigned, the small entity status was established in good faith. However, it appears that certain fees in the above referenced case may therefore have been erroneously paid at the small entity rate.

As required by 37 CFR 1.28 (c) applicant herewith provides payment of the deficiency between the actual amount paid, and the amount due. These amounts include:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

11-6-01
R. P. Ippolito

Roxanne Ippolito
Typed or Printed Name of Person Signing
Certificate

Title	Date	Paid Amount	New Amount	Deficiency
Filing Fee Provisional	04-23-99	\$75.00	\$160.00	\$85.00
Filing Fee	08-25-00	\$345.00	\$740.00	\$395.00
Additional Claims	08-25-00	\$150.00	\$156.00	\$6.00
Surcharge	08-25-00	\$65.00	\$130.00	\$65.00

Total: \$551.00

All errors that occurred were without deceptive intent and in good faith, to the best knowledge of the undersigned. Since rule 28c indicates that the error will be excused upon payment of the deficiency, it is respectfully suggested that this should cure any improper small entity.

No fees are believed necessary for this paper. Please apply any other charges or credits to our deposit account no. 06-1050.

Respectfully submitted,

Date: _____

11-6-01



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SAN DIEGO

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OFFICE OF PETITIONS

In re Application of :
Anders Andersson et al. :
Application No. 09/550,816 :
Filed: April 18, 2000 :
Attorney Docket No. 08305 / 072001 / 99-18 :

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

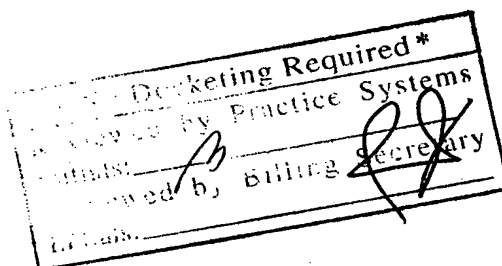
Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center 2600.

Irvin Dingle
Irvin Dingle

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy





BEST AVAILABLE COPY

091050-816

ATTORNEY/BOOKING NO. 091050-816

The Patent and Trademark Office date stamp sets forth the date of receipt of

Applicant or Patentee: Andersson et al

No. Application, Appeal, Interference, Patent, Reexam: 091050-816

Filing or Issue Date: 01/06/00

Title: Active Pixel Sensor With Reduced Fixed Pattern Noise

☒ Preliminary letter (2 copies) ☐ With Pet. for Ext. ☐ Status Inquiry

☐ Assignment ☐ Declaration

☐ Amendment/Response _____ Pages ☐ Request Certificate of Correction

☐ Maintenance Fee ☐ Notice of Appeal

☒ Check 551 ☐ Appeal Brief (3 Copies) ☐ Petition for Extension Time

☐ Deposit Account Order form (2 Copies) ☐ Information Disclosure Statement

☐ Issue Fee ☐ Request Patent Copies ☐ PTO 1449 Form _____ Pages

☐ Prior Art References Number of References _____

☐ Drawings _____ Sheets Formal _____ Sheets Informal _____

☐ Notice of Missing Parts

☐ Combined Declaration and Power of Attorney

☐ Small Entity Statement

☒ Request for Rebutted Correction of Small Entity Status

Atty/Sec 33 Client Robert 39-18

Instructions 091050-816

Stamp: OIPE JC177 JAN 14 2002 PATENT & TRADEMARK OFFICE

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JAN 28 2002

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